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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

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KATHY FRAZIER, on behalf of herself and all others similarly situated,

Plaintiff,

VS.

MORGAN STANLEY & CO. LLC,  
MORGAN STANLEY SMITH BARNEY  
LLC, AND MORGAN STANLEY,

## Defendants.

CASE NO. 3:15-CV-04512-PJH

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE INITIAL CASE  
MANAGEMENT CONFERENCE**

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1 Pursuant to Civil Local Rules 6-1 and 6-2, Plaintiff Kathy Frazier (“Plaintiff”) and  
2 Defendants Morgan Stanley & Co. LLC, Morgan Stanley Smith Barney LLC, and Morgan  
3 Stanley (“Defendants”) (collectively, the “Parties”), by and through their respective counsel of  
4 record, stipulate to continue the Case Management Conference currently scheduled for January 7,  
5 2016, to a date that is mutually convenient for the Court after Defendants’ have responded to the  
6 Second Amended Complaint.

7 WHEREAS, on October 16, 2015, the Court set the Case Management Conference for  
8 January 7, 2016 (Dkt. No. 8);

9 WHEREAS pursuant the Parties’ concurrently-filed stipulation, Defendants have  
10 consented to Plaintiff filing a Second Amended Complaint for the limited purpose of adding  
11 claims for relief under Title VII of the Civil Rights Act of 1964;

12 WHEREAS the Parties have stipulated that Defendants will have sixty (60) days after  
13 filing to respond to the Second Amended Complaint;

14 WHEREAS the Parties believe that it would be beneficial to postpone the initial Case  
15 Management Conference until after Defendants have responded to the Second Amended  
16 Complaint

17 WHEREAS Plaintiff believes it would be particularly beneficial to postpone the initial  
18 Case Management Conference in light of the pending motion to transfer to avoid burden to the  
19 Court in the event it is granted;

20 THEREFORE, IT IS STIPULATED by the Parties and respectfully requested that the  
21 Case Management Conference currently scheduled for January 7, 2016, be continued to a date  
22 that is convenient for the Court after Defendants have responded to the Second Amended  
23 Complaint. Pursuant to Civil Local Rule 16-9 and this Court’s Standing Orders, the Parties  
24 will submit a joint case management conference statement seven (7) court days prior to the  
25 newly-scheduled conference.

26 IT IS SO STIPULATED.

1  
2 Dated: December 21, 2015

LEVY VINICK BURRELL HYAMS LLP

3 By: /s/ Sharon Vinick  
4 Sharon R. Vinick  
5 Attorneys for Plaintiff

6 Dated: December 21, 2015

7 MORGAN, LEWIS & BOCKIUS LLP

8 By: /s/ Daryl S. Landy  
9 Daryl S. Landy  
10 Attorneys for Defendants

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## **ATTESTATION RE ELECTRONIC SIGNATURES**

I, Sharon R. Vinick, attest pursuant to Northern District Local Rule 5-1(i)(3) that all other signatories to this document, on whose behalf this filing is submitted, concur in the filing's content and have authorized this filing. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: December 21, 2015

LEVY VINICK BURRELL HYAMS LLP

BY: /s/ Sharon R. Vinick  
Sharon R. Vinick  
Attorneys for Plaintiff

1 **[PROPOSED] ORDER**

2 PURSUANT TO STIPULATION, the Order setting the Case Management Conference for  
3 January 7, 2016 is hereby vacated. The Court will set a new Case Management Conference for a  
4 date after Defendants have responded to the Second Amended Complaint.

5 IT IS SO ORDERED.

6 DATED: December 30, 2015

